

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-139202-001 SE

08/14/2009

HONORABLE LISA DANIEL FLORES

CLERK OF THE COURT

J. Carlson

Deputy

STATE OF ARIZONA

BERNITA D CLARK

v.

MORGAN C LEGE (001)

DOB: 10/9/1982

MARC J VICTOR

APO-SENTENCE IMPRISON-SE

APPEALS-CCC

AZ DOC

AZ DOC - COMMUNITY SERVICE

DISPOSITION CLERK-CSC

FINANCIAL SERVICES-CCC

RFR

VICTIM SERVICES DIV-CA-SE

SENTENCE OF IMPRISONMENT

11:18 a.m. This is the time set for Sentencing and Mitigation Hearing.

State's Attorney: Bernita D. Clark

Defendant's Attorney: Marc J. Victor

Defendant: Present

Court Reporter: Luz Franco

LET THE RECORD REFLECT that Defense withdraws it's Motion for Medical Exam of Victim, filed July 8, 2009.

Detective Shawn McKenzie addresses the Court.

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Edmundo Munoz is sworn and testifies.

Edward Guajaredo is sworn and testifies.

Carol Reynolds is sworn and testifies.

Trevor Lege, Ryan Reynolds, Trisha DeNello, Amanda Voletta and Jennifer Golotta-Bishop make statements on behalf of Defendant.

1:07 p.m. Court stands at recess.

1:44 p.m. Court reconvenes with respective counsel and Defendant present. Court Reporter, Luz Franco, is present.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 (as amended) Attempted Child Abuse
Class 3 Felony and a Dangerous Crime Against Children
A.R.S. § 13-1001, 1623(A)(C)(F), 3601(A), 701, 702, 702.01, 801, 604.01 902(E)
Date of Offense: On or between December 13, 2006 and April 26, 2008
Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 5 year(s) from August 14, 2009
Presentence Incarceration Credit: 3 day(s)
Mitigated

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

RESTITUTION: IT IS ORDERED the State is to provide Defense counsel notification of any claims within 60 days of this date. Counsel are to inform this Court within 90 days of this date of any restitution either by stipulation or request for a hearing and that the State notify the Victim Service Unit of the Adult Probation Department so that they may facilitate restitution efforts.

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The Arizona Department of Corrections/Community Service shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforesponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Community Supervision: Count 1 - Imposed pursuant to A.R.S. § 13-603(I).

IT IS ORDERED exonerating any bond previously posted in this matter to the party posting same.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

2:06 p.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE LISA DANIEL FLORES
JUDGE OF THE SUPERIOR COURT

(thumbprint)